

**REMARKS**

This application has been carefully reviewed in view of the above referenced Office Action. Reconsideration is respectfully requested in view of the following:

**Regarding the Objections to the Claims**

Applicants have reviewed the Office Action's remarks regarding claims 1, 11, 12, 13, 18, 27, 28, 29, 30, 50, 52, 66, 87 and 88 and concurs fully with the Examiner's assessment of the errors. The undersigned appreciates the Examiner identifying these minor errors and in each case has amended the claims as suggested. The undersigned regrets the additional burden these minor errors placed on the Examiner, and notes that in each case the Examiner's assumption as to the correct language or claim reference was correct. Reconsideration in view of these amendments is respectfully requested.

**Regarding the Rejections of claims 1-17**

Independent claim 1 was rejected as anticipated by Barton of record. Claim 1 has been amended to incorporate the feature of a timer that starts upon presentation of the menu to the user. The user is instructed to select a specified number of advertisements prior to expiration of the timer, otherwise advertisements are selected for the user. This amendment finds support in Fig. 7 and the associated description. The undersigned has reviewed the references and finds no teaching or suggestion of such timed operation in association with the advertisement menu, and selection on behalf of the user if no selection is made prior to expiration of the timer. Accordingly, claim 1 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 1-17 are accordingly requested at an early date.

**Regarding the Rejections of claims 18-32**

Independent claim 18 was also rejected as anticipated by Barton of record. Claim 18 has also been amended to incorporate features similar to those described in connection with claim 1 above. Accordingly, the comments related to claim 1 above are equally

relevant. Accordingly, claim 18 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 18-32 are accordingly requested at an early date.

#### **Regarding the Rejections of claims 33-51**

Independent claim 33 was also rejected as anticipated by Barton of record. Claim 33 has also been amended to incorporate features of a timer and the timed operation of menu selections similar to those described in connection with claim 1 above. Accordingly, the comments related to claim 1 above are equally relevant. Accordingly, claim 33 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 33-51 are accordingly requested at an early date.

#### **Regarding the Rejections of claims 52-65**

Independent claim 52 was also rejected as obvious in view of Barton combined Ngo of record. Claim 52 has been amended to clarify the nature of the advertisement type and to associate the advertisement type with a presentation. The claim now states "*each advertisement type having an associated presentation time associated therewith, so that the user can determine how long the advertisement will be presented by selection of a particular advertisement type*". The Examiner's attention is directed to page 16, last full paragraph starting at line 14 for support for this amendment and explanation of advantages of certain embodiments. Briefly, the user may wish to trade off a relatively long time period (e.g., 10 minutes) for an advertisement such as a banner advertisement or a watermark to avoid interruption by a relatively short (e.g., 30 seconds) commercial break. Neither the Barton nor the Ngo reference provide such a feature, and neither fairly suggest it. Accordingly, claim 52 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 52-65 are respectfully requested.

#### **Regarding the Rejections of claims 66-79**

Independent claim 66 was also rejected as obvious based on the combination of Ngo and Barton of record. Claim 66 has also been amended in a manner similar to the amendment of claim 52. Accordingly, the comments related to claim 52 above are equally

relevant. Accordingly, claim 66 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 66-79 are accordingly requested at an early date.

#### **Regarding the Rejections of claims 80-85**

Independent claim 80 was rejected as anticipated by Ngo of record. Claim 80 has also been amended in a manner similar to the amendment of claim 52. Accordingly, the comments related to claim 52 above are equally relevant. Accordingly, claim 80 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 80-85 are accordingly requested at an early date.

#### **Regarding the Rejections of claims 86-89**

Independent claim 86 was rejected as anticipated by Ngo of record. Claim 86 has been amended to require that a specified number of advertisements be selected within a period of time in a manner similar to claim 1. The undersigned finds no teaching or suggestion of such either in Ngo or the other references of record. Hence, claim 86 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 86-89 are accordingly requested at an early date

#### **Regarding the Rejections of claims 90-93**

Independent claim 66 was also rejected as anticipated based by Reichart of record. Claim 90 has been amended in a manner similar to the amendment of claim 52. Accordingly, the comments related to claim 52 above are equally relevant. Reichart has no disclosure or suggestion of an advertisement type being associated with a time period. Accordingly, claim 99 and all claims dependent therefrom are believed allowable. Reconsideration and allowance of claims 90-93 are accordingly requested at an early date.

#### **Regarding the Hooks Reference**

It is noted in passing, in connection with all uses of the Hooks reference of record, that the menu used in Hooks is a menu of "registered" advertisements. A user can "register" an advertisement if he or she wants further information regarding a product or

S/N 09/752,632

-18-

service advertised. The registered ads are placed in a menu for later selection to receive further information. This is clearly different than selecting an advertisement for display from a menu per the present claims.

In addition to the amendments described in detail above, a number of other amendments have been made to the dependent claims to make them consistent with amendments to the independent claims and to correct minor errors.

The undersigned additionally notes that many other distinctions exist between the cited references and the invention as claimed. However, in view of the amendments and the deficiencies in the art as pointed out above, further discussion of these distinctions is believed to be unnecessary at this time; failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position.

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date.

Respectfully submitted,



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S/N 09/752,632

-19-